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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

11 FERNANDO CORIA, JR.,

12 Plaintiff,

13 v.

14 M. GARCIA, et al.,

15 Defendants.
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1:20-cv-01652-NONE-GSA (PC)

**ORDER DENYING MOTION TO PROCEED
WITH DISCOVERY
(ECF No. 26.)**

18 Fernando Coria, Jr. ("Plaintiff") is a state prisoner proceeding *pro se* with this civil rights
19 action pursuant to 42 U.S.C. § 1983. Plaintiff filed the Complaint commencing this action on
20 November 20, 2020. (ECF No. 1.) On July 12, 2021, Plaintiff filed a motion to proceed with
21 discovery. (ECF No. 26.)

22 Plaintiff is advised that the court will issue a scheduling order opening discovery after the
23 Complaint has been served and one or more of the defendants has filed an Answer to the
24 Complaint. At this stage of the proceedings, Plaintiff's Complaint awaits the court's requisite
25 screening process. Service of process shall not be initiated until the court has screened the
26 Complaint and finds that Plaintiff states cognizable claims. Therefore, it is not time for discovery
27 in this action, and therefore Plaintiff's motion to proceed with discovery at this stage of the
28 proceedings shall be denied.

1 Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's motion to proceed
2 with discovery in this action, filed on July 12, 2021, is DENIED.

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4 IT IS SO ORDERED.

5 Dated: July 13, 2021

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE